

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

|                         |   |                        |
|-------------------------|---|------------------------|
| RUDOLPH LEMAL NUNNALLY, | : | PRISONER HABEAS CORPUS |
| Petitioner,             | : | 28 U.S.C. § 2254       |
|                         | : |                        |
| v.                      | : |                        |
|                         | : |                        |
| FREDRICK J. HEAD,       | : | CIVIL ACTION NO.       |
| Respondent.             | : | 1:17-CV-3750-WSD-LTW   |

**ORDER AND FINAL REPORT AND RECOMMENDATION**

Petitioner is a state prisoner who, pro se, filed a petition for a writ of habeas corpus. Pet., *Nunnally v. Head*, No. 1:17-cv-3304-WSD-LTW (N.D. Ga. Aug. 4, 2017). The Court recently denied Petitioner's motion for leave to proceed *in forma pauperis*, ordered him to pay the five-dollar filing fee, and ordered him to file an amended petition containing more information. *Id.*, ECF No. 6.

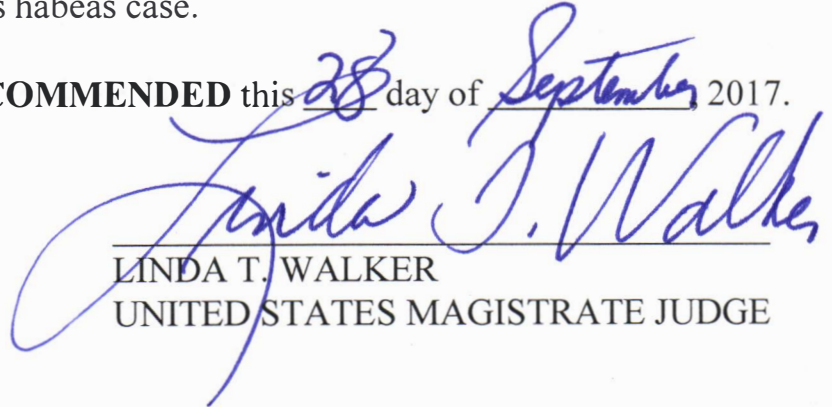
Petitioner filed an amended petition, but did not list the Court's case number on it. (Doc. 1.) The Clerk thus created this new action for the amended petition. To avoid duplication and waste of resources, the amended petition should be docketed in the prior action and this new case should be closed.

Accordingly, the Court **DIRECTS** the Clerk to docket the petition [1] as an amended petition in case number 1:17-cv-3304-WSD-LTW. **IT IS RECOMMENDED** that this case – 1:17-cv-3750-WSD-LTW – be

**ADMINISTRATIVELY CLOSED** and that Petitioner's habeas corpus action proceed in 1:17-cv-3304-WSD-LTW.

The Court **ORDERS** Petitioner to list case number 1:17-cv-3304-WSD-LTW on all documents he files in his habeas case.

**SO ORDERED & RECOMMENDED** this 28 day of September, 2017.

  
LINDA T. WALKER  
UNITED STATES MAGISTRATE JUDGE